

1 PIKAMAB, INC.,  
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Plaintiff,

v.

10 UNIVERSITY OF ALABAMA,  
11 BIRMINGHAM, et al.,  
12

Defendants.

7 Case No. 16-cv-02370-JSW  
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10 **ORDER VACATING MOTION  
11 HEARING ON MOTIONS TO DISMISS  
12 AND SETTING HEARING ON MOTION  
13 TO WITHDRAW AS COUNSEL**

14 Re: Dkt. Nos. 17, 18, 22  
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19 On April 30, 2016, Plaintiff filed its complaint against Defendants. On July 13, 2016,  
20 Defendants filed motions to dismiss, which are set for a hearing on August 26, 2016. For the  
21 reasons set forth in this Order, the hearing on those motions is VACATED pending further order  
22 of the Court. The parties are HEREBY ORDERED to appear on that date and time for the Court  
23 to consider the motion to withdraw and the request for an extension of time to respond to the  
24 motions to dismiss.  
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26 Pursuant to the Northern District Civil Local Rules an opposition to a motion “must be  
27 filed and served not more than 14 days after the motion was filed.” N.D. Civ. L.R. 7-3(a).  
28 Pursuant to that Rule, Federal Rule of Civil Procedure 6(d) “does not apply and thus does not  
extend this deadline.” *Id.* Thus, under the Local Rules, Plaintiff’s opposition briefs were due on  
July 27, 2016, not August 5, 2016. It appears that Defendants docketed an incorrect response date.  
However, on August 5, 2016, instead of filing opposition briefs, Plaintiff’s counsel filed a motion  
to withdraw. Defendants have not opposed that motion. Plaintiff has also moved for an extension  
of time to respond to the motions to dismiss. Although Defendants agreed to an extension of  
fourteen days, Plaintiff’s counsel has represented that Plaintiff now seeks an extension of six  
weeks.

1       Although the Court is inclined to find good cause to grant the motion to withdraw and to  
2 permit a reasonable extension of time to respond to the motions, Plaintiff is a corporation, and “a  
3 corporation may appear in the federal courts only through licensed counsel.” *See Rowland v.*  
4 *California Men’s Colony*, 506 U.S. 194, 202 (1993); *see also* Northern District Civil Local Rule 3-  
5 9(b). Because the Court has no information about Plaintiff’s efforts to retain new counsel, it  
6 HEREBY ORDERS the parties and one of Plaintiff’s representatives to appear on August 26,  
7 2016 at 9:00 a.m. as previously scheduled to address the status of Plaintiff’s efforts to obtain new  
8 counsel. The Court will re-set the briefing schedule at that time, but it places plaintiff on notice  
9 that, absent extraordinarily good cause, it will not grant an extension of more than 45 days from  
10 the date of this Order to respond to the motions.

## **IT IS SO ORDERED.**

Dated: August 8, 2016

Jeffrey S White  
JEFFREY S. WHITE  
United States District Judge